

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Doak et al.
Serial No.: 09/516,257
Filed: February 29, 2000
Group Art Unit: 2877
For: Multi-Grade Object Sorting System And Method
Attorney's Docket No. N4699
Customer No. 23456

TECHNOLOGY CENTER 2800

FEB 21 2003

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RESPONSE TO OFFICE ACTION

To the Honorable Commissioner of
Patents and Trademarks
Washington, DC 20231

Sir:

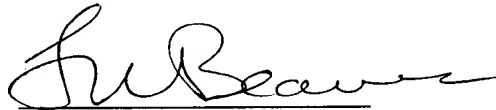
The following comments are submitted in response to the Office Action dated December 3, 2002.

All of the rejections are based either solely or in part upon U.S. Patent No. 6,369,882 to Bruner et al.

As shown in the enclosed DECLARATION OF GARRY R. KENNY RE COMMON OWNERSHIP, both the present application and the cited reference were, at the time the invention of the present application was made, under a common obligation of assignment to the entity now known as Advanced Sorting Technologies LLC.

Accordingly, under 35 U.S.C. §103(c) and M.P.E.P. §706.02(l), the cited reference is not properly citable against the present application. Thus, in the absence of any other grounds of rejection, it is respectfully submitted that all of the pending claims should be allowed.

Respectfully submitted,



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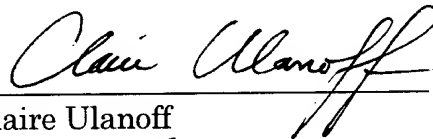
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CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this Response to Office Action is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
Washington, DC 20231

on 2/13/03.



Claire Ulanoff

2/13/03

Date